

**BEFORE THE
OHIO ENVIRONMENTAL PROTECTION AGENCY**

**Public Notice
Proposed Rulemaking Governing
The Voluntary Action Program**

Notice is hereby given that the Director of Environmental Protection, under the authority of Sections 3745-300 of the Ohio Revised Code and in accordance with Chapter 119, proposes to original file the following rules of the Ohio Administrative Code:

- 3745-300-01 Definitions
- 3745-300-02 Eligibility
- 3745-300-03 Voluntary Action Program Fees
- 3745-300-04 Certified Laboratories
- 3745-300-05 Certified Professionals
- 3745-300-06 Phase I Property Assessments
- 3745-300-07 Phase II Property Assessments
- 3745-300-08 Generic Numerical Standards
- 3745-300-09 Property Specific Risk Assessment Procedures
- 3745-300-10 Ground Water Classification and Potable Use Requirements, and Urban Setting Designations
- 3745-300-11 Remediation
- 3745-300-12 Variances and Case-by-Case Determinations
- 3745-300-13 Content and Scope of No Further Action Letters
- 3745-300-14 Audits

These rules address the Voluntary Action Program (VAP) regulations.

The purpose of this rule making is to comply with section 119.03 of the Ohio Revised Code by performing a five year rule review of all rules governing the VAP.

The public comment period ran until March 7, 2014. A public hearing on this proposed rule making will be held to consider public comments in accordance with Section 119.03 of the Ohio Revised Code. **This hearing will be held at 50 W. Town St., Suite 700, Columbus, Ohio 43216, in conference room A at 10:30am on June 2, 2014.**

To facilitate the scheduling of oral presentations, persons intending to give testimony at the hearing should notify the Ohio EPA Public Interest Center, P.O. Box 1049, Columbus, Ohio 43216-1049, (614) 644-2160. Prior registration will ensure that registrants are heard ahead of those individuals who register at the hearing. Oral testimony may be limited to five minutes, depending on the number of persons testifying. All interested persons are entitled to attend or be represented and to present oral and/or written comments concerning the proposed rule making.

Written testimony should be sent to the attention of Emily Patchen at the Division of Environmental Response and Revitalization, P.O. Box 1049, Columbus Ohio 43216-1049. Written comments may also be submitted to the Hearing Officer at the public hearing. Written testimony will receive the same consideration as oral testimony. All testimony received at the hearing or by close of business on **June 2, 2014** will be considered by Ohio EPA prior to final action on this rulemaking proposal. Written comments submitted after this date may be considered as time and circumstances permit.

Questions regarding this rule package should be directed to Emily Patchen, at the Division on Environmental Response and Revitalization at Emily.Patchen@epa.ohio.gov or at (614) 728-5441.

To receive a copy of the proposed rules, please contact the DERR receptionist at (614) 644-2924. In addition, full copies of all proposed rules are available for review at any Ohio EPA district office and at the Ohio EPA central office. The proposed rules are also accessible on the DERR web page at <http://www.epa.state.oh.us/derr/derrrules.aspx>.